Wayne E. Borgeest
Joan M. Gilbride
Robert A. Benjamin
KAUFMAN BORGEEST & RYAN LLP
200 Summit Lake Dr
Valhalla, New York 10595
(914) 741-6100 (Telephone)
(914) 741-0025 (Facsimile)
wborgeest@kbrlaw.com
jgilbride@kbrlaw.com
rbenjamin@kbrlaw.com

## Attorneys for AXIS Reinsurance Company

DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK	Electronically Filed		
AXIS REINSURANCE COMPANY, Plaintiff,	X : No. 07-CV-07924-GEL :		
V.	:		
PHILLIP R. BENNETT, et al.,	: :		
Defendants.			
	X		
In re	: Chapter 11		
REFCO, INC., et al.,	: Case No. 05-60006-RDD		
Debtors.	: Jointly Administered		
A YIS DEINISIDANICE COMBANIV	22		
AXIS REINSURANCE COMPANY,	: Adv. Proc. No. 07-01712-RDD : Reference Withdrawn:		
	: No. 08-CV-03242-GEL		
Plaintiff,	: Appeals:		
v.	: (1) No. 07-CV-09420-GEL		
	: (2) No. 07-CV-09842-GEL		
PHILLIP R. BENNETT, et al.,	: (3) No. 07-CV-10302-GEL		
Defendants.	; :		

	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	X	
TONE N. GRANT, et al.,		:	Adv. Proc. 07-02005-RDD
		:	consolidated with 07-01712-RDD
		:	Reference Withdrawn:
		:	No. 08-CV-03243-GEL
	Plaintiffs,	:	Appeals:
v.		:	(1) No. 07-CV-09843-GEL
		:	(2) No. 07-CV-10302-GEL
AXIS REINSURANCE CO	MPANY,	:	
		:	
	Defendant.	:	
		X	
LEO R. BREITMAN, et al.,	•	:	Adv. Proc. No. 07-02032-RDD
		:	consolidated with 07-01712-RDD
		:	Reference Withdrawn:
	D1 / 4 CC	:	No. 08-CV-03303-GEL
	Plaintiffs,	:	Appeal:
v.		:	(1) No. 07-CV-10302-GEL
AXIS REINSURANCE COMPANY,		:	
AAI3 KEINSUKANCE CU	WIFAIN I,	:	
	Defendant.	;	
	Detelinglin		

## **CERTIFICATE OF SERVICE**

STATE OF NEW YORK	)	
	)	s.s.:
COUNTY OF WESTCHESTER	)	

- 1. ROBERT A. BENJAMIN, the undersigned deposes and says: I am over 18 years of age, am not a party in the above-captioned case, and am an attorney with the firm Kaufman Borgeest & Ryan LLP.
- 2. On May 2, 2008, I caused to be served a true and correct copy of the following documents via electronic mail notification and reference to ECF to the parties listed on Exhibit A attached hereto:
  - AXIS Reinsurance Company Brief in Opposition to Certain Insureds' Motions for Summary Judgment: (1) Dismissing Certain Insureds from the AXIS Declaratory Judgment Action (No. 07-CV-07924-GEL); and (2) Entry of Judgment in Favor of Count One of Officer Insureds' Counterclaims (No. 07-AP-01712-RDD, Reference Withdrawn at No. 08-CV-03242-GEL);
  - May 2, 2008 Declaration of Joan M. Gilbride;
  - May 2, 2008 Affidavit of Steven Kane;
  - AXIS Reinsurance Company Statement of Additional Material Facts and Response To Statement of Undisputed Material Facts Submitted on Behalf of Klejna Pursuant to Local Rule 56.1; and
  - AXIS Reinsurance Company Statement of Additional Material Facts and Response
    To Statement of Undisputed Material Facts Submitted on Behalf of Sexton, Sherer,
    Murphy, Silverman, Grant, Breitman, Gantcher, Harkins, Jaeckel, Lee, O'kelley and
    Schoen Pursuant to Local Rule 56.1.

Dated: Valhalla, New York May 2, 2008

ROBERT A. BENJAMIN

KAUFMAN BORGEEST & RYAN LLP

200 Summit Lake Drive

Valhalla, New York 10595

(914) 741-6100 (Telephone)

(914) 741-0025 (Facsimile)

rbenjamin@kbrlaw.com

## EXHIBIT A

Stephen J. O'Neil Bell, Boyd & Lloyd LLP 70 W. Madison St., 3100 Chicago, IL 60602 soneil@bellboyd.com

Michael J. Walsh Weil, Gotshal & Manges LLP 767 Fifth Avenue New York, New York 10153 mj.walsh@weil.com

Thomas G. Macauley ZUCKERMAN SPAEDER LLP 919 Market Street, Suite 990 P.O. Box 1028 Wilmington, DE 19801-3036 tmacauley@zuckerman.com

Michael T. Hannafan Blake T. Hannafan Hannafan & Hannafan, Ltd. One East Wacker Drive, Suite 280 Chicago, IL 60601 mth@hannafanlaw.com bth@hannafanlaw.com

Richard Cashman Heller Ehrman LLP Times Square Tower 7 Times Square New York, NY 10036-6524 richard.cashman@hellerehrman.com Greg A. Danilow Weil, Gotshal & Manges LLP 767 Fifth Avenue New York, New York 10153 greg.danilow@weil.com

Norman Eisen ZUCKERMAN SPAEDER LLP 1800 M Street, NWSuite 1000 Washington, DC 20036-5802 neisen@zuckerman.com

Laura E. Neish ZUCKERMAN SPAEDER LLP 1540 Broadway Suite Suite 1604 New York, NY 10036-4039 Ineish@zuckerman.com

Barbara Moses Morvillo, Abramowitz, Grand, Iason, Anello & Bohrer, P.C. 565 Fifth Avenue New York, New York 10017 bmoses@maglaw.com

John J. Jerome Saul Ewing LLP 245 Park Avenue, 24th Floor New York, NY 10167 jjerome@saul.com

Philip Nemecek Helen Kim Katten Muchin Rosenman LLP 575 Madison Avenue New York, New York 10022-2585 philip.nemecek@kattenlaw.com helen.kim@kattenlaw.com

Jeffrey T. Golenbock Golenbock Eiseman Assor Bell & Peskoe LLP 437 Madison Avenue, 35th Floor New York, NY 10022-7302 jgolenbock@golenbock.com

Stuart I. Friedman Ivan O. Kline Elizabeth D. Meacham Friedman & Wittenstein 600 Lexington Avenue New York, NY 10022 sfriedman@friedmanwittenstein.com ikline@friedmanwittenstein.com emeachem@friedmanwittenstein.com

Gary P. Naftalis Kramer Levin Naftalis & Frankel LLP 1177 Avenue of the Americas New York, New York 10036 gnaftalis@kramerlevin.com